

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
ALEXANDRIA DIVISION

ROSY GIRON DE REYES, *et al.*,

Plaintiff,

v.

WAPLES MOBILE HOME PARK  
LIMITED PARTNERSHIP, *et al.*,

Defendants.

Civil No.: 1:16cv563-TSE-TCB

**MEMORANDUM IN SUPPORT OF MOTION FOR THREE-DAY EXTENSION TO  
DEFENDANTS' DATE TO SUBMIT A REPLY IN SUPPORT OF  
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Defendants Waples Mobile Home Park Limited Partnership, Waples Project Limited Partnership, and A. J. Dwoskin & Associates, Inc. (collectively "Defendants"), by counsel, respectfully submit this Motion for Three-day Extension to Defendants' Date to Submit a Reply in Support of Defendants' Motion for Summary Judgment.

**ARGUMENT**

The Court recently modified the summary judgment briefing schedule. (Dkt. 109). In doing so, the Court required Plaintiffs to file an Opposition to Defendants' Motion for Summary Judgment on Friday December 23, 2016. The Court also required Defendants to file a Reply in Support of Defendants' Motion for Summary Judgment by Tuesday, January 3, 2017. Defendants respectfully request that the Court extend the date to submit Defendants' Reply in Support of Defendants' Motion for Summary Judgment from January 3, 2017 to January 6, 2017 because of counsel's holiday travel schedule.

One of the three attorneys for Defendants<sup>1</sup> will be out of the country on holiday travel during the reply period. As a result, Defendants' counsel seeks a three-day extension to Defendants' Reply date. Under the proposed extension, Defendants' Reply would be filed on January 6, 2017 – a full three weeks before the scheduled hearing on Defendants' Motion for Summary Judgment. *See* Dkt. 109. Plaintiffs will face no prejudice from the extension.

Undersigned counsel attempted to secure Plaintiffs' counsel's consent for instant Motion. **Exhibit A.** Plaintiffs' counsel, however, refused to consent to the instant motion. **Exhibit A.** When asked if Plaintiffs faced any prejudice by the three-day extension request in light of the fact that Plaintiffs would still receive Defendants' Reply a full three weeks before the scheduled hearing on Defendants' Motion for Summary Judgment, Plaintiffs' counsel was unable to articulate any prejudice faced by Plaintiffs. **Exhibit A.** Instead, Plaintiffs' counsel doubted undersigned counsel's representation calling it "vague". **Exhibit A.**

Plaintiff's counsel's refusal to agree to the short extension is even more surprising due to the fact that earlier in this case Defendants delayed filing a Motion to Compel because Plaintiffs' counsel represented that not one of the eight attorneys on Plaintiffs' pleadings was available the week of October 14<sup>th</sup> to file an opposition brief or to appear for a hearing on a proposed Motion to Compel. Plaintiffs' counsel represented all eight attorneys were unavailable due to a religious "holiday and related travel[.]" Of course, Defendants' counsel delayed filing the Motion to Compel based on this representation. It seems Plaintiffs' counsel is unwilling to extend the same courtesy to Defendants' counsel.

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<sup>1</sup> By contrast, Plaintiffs have eight attorneys who appear on Plaintiffs' pleadings. Plaintiffs have also moved for admission of at least two more attorneys.

**CONCLUSION**

For the aforementioned reasons, Defendants' respectfully request that the Court extend the date for submittal of Defendants' Reply in Support of Defendant's Motion for Summary Judgment from January 3, 2017 to January 6, 2017.

Respectfully submitted,

WAPLES MOBILE HOME PARK LIMITED  
PARTNERSHIP, WAPLES PROJECT LIMITED  
PARTNERSHIP AND  
A. J. DWOSKIN & ASSOCIATES, INC.

/s/

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*Counsel for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 2nd day of December, 2016, I caused the foregoing to be filed electronically with the Clerk of the Court using CM/ECF, which will then send a notification of such filing to all counsel of record.

/s/

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